

LAW OFFICES

OFFICIAL

MCDONNELL BOEHNEN HULBERT & BERGHOFF

MBHB

KEVIN E. NOONAN
DIRECT DIAL: (312) 913-2145
E-MAIL: noonan@mbhb.com

FAX RECEIVED

MAY 18 2000

GROUP 1600

32ND FLOOR
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE: (312) 913-0001
FACSIMILE: (312) 913-0002

| | | | |
|------------------|---|------------------|--------------------------|
| TO: | EXAMINER S. DEVI | FROM: | KEVIN E. NOONAN |
| COMPANY: | U.S. PATENT AND TRADEMARK OFFICE - GROUP ART UNIT 1621 | DATE: | May 17, 2000 |
| FAX NUMBER: | 703-305-3704 | FIRM CODE: | |
| PHONE NUMBER: | 703-308-9347 | NO. OF PAGES: | 4 (including cover page) |

RE:

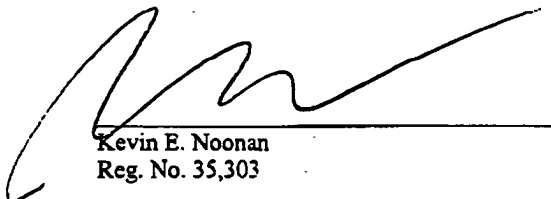
U.S. PATENT APPLICATION SERIAL NO. 09/438,600
FILED NOVEMBER 12, 1999
INVENTORS: SHIEH ET AL.
OUR CASE NO. 99,723

NOTES/COMMENTS:

RESTRICTION ELECTION FACSIMILE TRANSMISSION

Please deliver to Examiner Devi as soon as possible.

Certificate of Facsimile Transmission: The undersigned attorney hereby certifies by his signature below that the foregoing Response to Restriction Requirement, as described in Paragraph 1 of the accompanying Transmittal Letter comprising a total of four (4) pages, was sent by facsimile to the above-identified telephone number on Wednesday the 17th day of May 2000.


Kevin E. Noonan
Reg. No. 35,303

Please notify S. Anaszewicz (312/913-0001, ext. 2015) if all pages are not received.

PLEASE NOTIFY RECEPTIONIST AT (312) 913-0001 IF ALL PAGES ARE NOT RECEIVED.
THIS TRANSMITTAL IS STRICTLY INTENDED FOR DELIVERY ONLY TO THE PERSON LISTED ABOVE. IT MAY CONTAIN CONFIDENTIAL OR PRIVILEGED
INFORMATION, THE DISCLOSURE OF WHICH IS PROHIBITED. IF YOU RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY
TELEPHONE (COLLECT) TO ARRANGE FOR RETURN OF THE DOCUMENT.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,723)

PATENT

In application of:

Shieh *et al.*

Serial No. 09/438,600

Filed: November 12, 1999

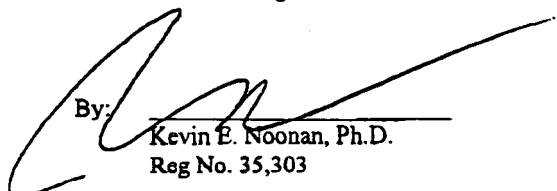
For: Bichannel Assay for Hybridization
with BiomaterialBefore the Examiner:
S. DeviGroup Art Unit:
1641TRANSMITTAL LETTERAssistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
 - a. Response to Restriction Requirement
2. With respect to additional fees:
 - a. No additional fee is required.
3. Please charge the full amount of any required fee, or credit any overpayment to Deposit Account No. 13-2490.
4. The undersigned hereby certifies that this Transmittal Letter and this paper, as described in paragraph 1 herein above, are being sent via facsimile transmission to the telephone number on the accompany Facsimile Transmittal Sheet, addressed to: Examiner S. Devi, Group Art Unit 1641, c/o Assistant Commissioner of Patents, Washington, D.C. 20231 on this 17th day of May, 2000.

By:


Kevin E. Noonan, Ph.D.
Reg No. 35,303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,723)

PATENT

In application of:

Shieh *et al.*

Serial No. 09/438,600

Filed: November 12, 1999

For: Bichannel Assay for Hybridization
with BiomaterialBefore the Examiner:
S. DeviGroup Art Unit:
1641**RESPONSE TO RESTRICTION REQUIREMENT**Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

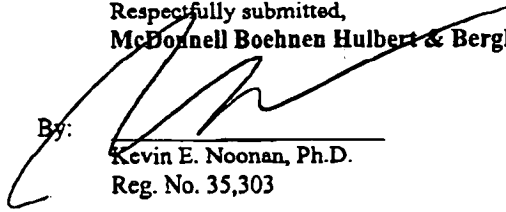
Responsive to the Restriction Requirement, mailed April 17, 2000, Applicants elect to prosecute claims 1-15, designated as Group I by the Examiner, with traverse. The basis for Applicants traversal is that it would place no undue burden on the Examiner to examine claims to methods of using the claimed apparatus at the same time claims to the apparatus itself were examined.

If the Examiner in charge of this application believes it to be helpful, she is invited to contact the undersigned attorney by telephone at (312) 913-0001.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: May 17, 2000

By:


Kevin E. Noonan, Ph.D.
Reg. No. 35,303